

**VIRGINIA BOARD OF NURSING  
FORMAL HEARINGS  
Monday, August 22, 2011**

**TIME AND PLACE:** The meeting of the Virginia Board of Nursing was called to order at 9:05 A.M. on August 22, 2011 in Board Room 1, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

**BOARD MEMBERS  
PRESENT:** Evelyn Lindsay, LPN, Secretary  
Louise D. Hartz, Citizen Member  
Florence Jones-Clarke, RN, MS  
Patricia C. Lane, RN, BSN  
William Traynham, LPN

**STAFF PRESENT:** Jay P. Douglas, RN, MSM, CSAC; Executive Director  
Jodi P. Power, RN, JD; Deputy Executive Director  
Gloria D. Mitchell, RN, MSN, MBA; Deputy Executive Director (joined later)  
Brenda Krohn, RN, MS, Deputy Executive Director (joined later)  
Krystal Blanton, Senior Discipline Specialist

**OTHERS PRESENT:** Rachel Baer, Assistant Attorney General

**ESTABLISHMENT OF  
A QUORUM:** With five members of the Board present, a quorum was established.

**FORMAL HEARINGS:** **Kadiatu Bangura, LPN Applicant**  
Ms. Bangura appeared.

Anne Joseph, Deputy Director, Administrative Proceedings Division, represented the Commonwealth. Ms. Baer was legal counsel for the Board. Patricia Ray Barton, court reporter, recorded the proceedings.

Paula Saxby, Deputy Executive Director, Board of Nursing was present and testified.

**CLOSED MEETING:** Ms. Hartz moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:45 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Bangura. Additionally, Ms. Hartz moved that Ms. Douglas, Ms. Power, Ms. Blanton and Ms. Baer attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.  
The motion was seconded and carried unanimously.

**RECONVENTION:** The Board reconvened in open session at 10:20 A.M.

Ms. Hartz moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Lane moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Joseph and amended by the Board.

The motion was seconded and carried unanimously.

Mr. Traynham made a motion that was seconded and carried however the hearing was reconvened to consider further clarification of the Board's decision.

Ms. Krohn joined the meeting.

**CLOSED MEETING:**

Ms. Hartz moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:35 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Bangura. Additionally, Ms. Hartz moved that Ms. Douglas, Ms. Power, Ms. Krohn, Ms. Blanton and Ms. Baer attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

**RECONVENTION:**

The Board reconvened in open session at 10:50 A.M.

Ms. Hartz moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Lane moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Joseph and amended by the Board.

The motion was seconded and carried unanimously.

**ACTION:**

Mr. Traynham moved that the Board of Nursing approve the practical nursing application for licensure of Kadiatu Bangura contingent upon her providing evidence to the Board of receiving additional 80 hours of supervised direct client care from a Board approved practical nursing education program in Virginia. The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

Ms. Douglas left the meeting.

**FORMAL HEARINGS:**

**Isatu Kanu, CNA 1401-113226**

Ms. Kanu appeared, accompanied by her daughter, Ashley Kanu.

Cynthia Gaines, Adjudication Specialist, represented the Commonwealth. Ms. Baer was legal counsel for the Board. Patricia Ray Barton, court reporter, recorded the proceedings.

Shirley Pineda, former administrator of Monroe House Assisted Living Facility; and Resident A testified by telephone. Sharon Squires, Senior Investigator, Department of Health Professions; and Ashley Kanu were present and testified.

Ms. Douglas re-joined the meeting.

CLOSED MEETING: Ms. Hartz moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 12:40 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Kanu. Additionally, Ms. Hartz moved that Ms. Douglas, Ms. Power, Ms. Krohn, Ms. Blanton and Ms. Baer attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 12:55 P.M.

Ms. Hartz moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

ACTION: Ms. Lane moved that the Board of Nursing dismiss the matter against Isatu Kanu, CNA, for insufficient evidence of a violation of Board of Nursing law or regulation. The motion was seconded and carried. Ms. Lindsay, Ms. Hartz, Ms. Jones-Clarke and Ms. Lane were in favor of the motion. Mr. Traynham opposed the motion.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

Ms. Krohn left the meeting.

FORMAL HEARINGS: **Elizabeth S.P. McKenna RN Reinstatement Applicant 0001-149448**  
Ms. McKenna appeared.

David Kazzie, Adjudication Specialist, represented the Commonwealth. Ms. Baer was legal counsel for the Board. Patricia Ray Barton, court reporter, recorded the proceedings.

Vicky Fox, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING: Ms. Hartz moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 1:40 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. McKenna. Additionally, Ms.

Hartz moved that Ms. Douglas, Ms. Power, Ms. Blanton and Ms. Baer attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.  
The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 1:55 P.M.

Ms. Hartz moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Lane moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Kazzie.

The motion was seconded and carried unanimously.

ACTION:

Ms. Lane moved that the Board of Nursing deny the application for reinstatement of Elizabeth McKenna's professional nursing license. The motion was seconded and carried. Ms. Lindsay, Ms. Hartz, Ms. Lane and Mr. Traynham were in favor of the motion. Ms. Jones-Clark opposed the motion.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

RECESS:

The Board recessed at 2:00 P.M.

RECONVENTION:

The Board reconvened at 2:45 P.M.

Ms. Douglas left the meeting.

FORMAL HEARINGS:

**Kyle Bennett, RN Reinstatement Applicant 0001-133875**  
Mr. Bennett did not appear.

James Rutkowski, Adjudication Specialist represented the Commonwealth. Ms. Baer was legal counsel for the Board. Patricia Ray Barton, court reporter, recorded the proceedings.

Patricia Sheehan, Senior Investigator, Department of Health Professions was present and testified.

CLOSED MEETING:

Ms. Hartz moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:00 P.M., for the purpose of deliberation to reach a decision in the matter of Mr. Bennett. Additionally, Ms. Hartz moved that Ms. Power, Ms. Blanton and Ms. Baer attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.  
The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 3:10 P.M.

Ms. Hartz moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Lane moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Rutkowski.

The motion was seconded and carried unanimously.

**ACTION:**

Ms. Hartz moved that the Board of Nursing deny the application for reinstatement of the professional nursing license of Kyle Bennett.. The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

Ms. Mitchell joined the meeting, Ms. Douglas re-joined the meeting. Ms. Power left the meeting.

**FORMAL HEARINGS:**

**Katrina Cross, CNA Reinstatement Applicant 1401-063336**

Ms. Cross appeared.

Amanda Blount, Adjudication Specialist represented the Commonwealth. Ms. Baer was legal counsel for the Board. Patricia Ray Barton, court reporter, recorded the proceedings.

Francine Greer, Administrative Assistant, Board of Nursing was present and testified.

**CLOSED MEETING:**

Ms. Hartz moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:52 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Cross. Additionally, Ms. Hartz moved that Ms. Douglas, Ms. Mitchell, Ms. Blanton and Ms. Baer attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

**RECONVENTION:**

The Board reconvened in open session at 4:21 P.M.

Ms. Hartz moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Lane moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Blount and amended by the Board.

The motion was seconded and carried unanimously.

**ACTION:** Mr. Traynham moved that the Board of Nursing reinstate the certificate of Katrina Cross to practice as a nurse aide without restriction. The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

**RECESS:** The Board recessed at 4:22 P.M.

**RECONVENTION:** The Board reconvened at 4:40 P.M.

**FORMAL HEARINGS:** **Seneatha K. Gay, RN 0001-217281**  
Ms. Gay appeared, represented by attorney, Grant Kronenberg.

Tammie Jones, Adjudication Specialist represented the Commonwealth. Ms. Baer was legal counsel for the Board. Patricia Ray Barton, court reporter, recorded the proceedings.

Nancy Akula, RN, Nurse Manager, St. Francis testified by telephone. Ann Hardy, RN, Senior Investigator, Department of Health Professions; Tonya James, Compliance Case Manager, Board of Nursing; Chordle Carmichael, Parole Officer; Jaime Mason, Probation and Parole Officer; Sara Coleman, RN, St. Francis Hospital; Tammy Strickland, former patient; Tricia Perry, RN, St. Francis Hospital; Angela Clark, RN, St. Francis Hospital; Latisha Coleman, former patient; Michelle Henderson, RN, St. Francis Hospital; Kay Ray, RN, LNP; and Rebecca Muminovic, MD were present and testified.

**CLOSED MEETING:** Ms. Hartz moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:35 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Gay. Additionally, Ms. Hartz moved that Ms. Douglas, Ms. Mitchell, Ms. Blanton and Ms. Baer attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.  
The motion was seconded and carried unanimously.

**RECONVENTION:** The Board reconvened in open session at 10:25 P.M.

Ms. Hartz moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Lane moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Jones and amended by the Board.  
The motion was seconded and carried unanimously.

**ACTION:**

Ms. Jones-Clarke moved that the Board of Nursing issue an order of reprimand to Seneatha Gay and further, indefinitely suspend the right to renew the professional nursing license of Ms. Gay. The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

**ADJOURNMENT:**

The Board adjourned at 10:30 P.M.

---

Jodi P. Power, RN, JD  
Deputy Executive Director